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NEEDLE & ROSENBERG, P.C.
SUITE 1000
999 PEACHTREE STREET
ATLANTA, GA 30309-3915

EXAMINER

NGUYEN, THU HA T

ART UNIT PAPER NUMBER

2155

DATE MAILED: 02/25/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/427,787

Applicant(s)

RAJAN ET AL.

Examiner

Thu Ha T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10 and 12-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10 and 12-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-8, 10, 12-22 are presented for examination.

Response to Amendment

2. This office action is responsive to the amendment filed on December 8, 2003. Claims 1, 14 and 22 have been amended.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention; and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. The specification is objected to under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The specification does not explicitly describe nor is sufficiently clear for one of ordinary skill in the art to recognize the following step as recited in claims 1, 14 and 22: **"aggregating content associated with the end user by the host computer from one or more information providers, said information providers not including network devices"** The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The "invention" for the purpose of the first paragraph analysis is defined by the claims. The description requirement is simply that the claimed subject matter must be described in the specification. The function of the description requirement is to ensure that the applicant had possession of the invention on the filing date of the application.

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The application need not describe the claim limitation exactly, but must be sufficiently clear for one of ordinary skill in the art to recognize that the applicant's invention encompasses the recited limitations. The description requirement is not met if the application does not expressly or inherently disclose the claimed invention.

5. Claims 1, 14 and 22 are unclear that the one ordinary skilled in the art cannot recognize the encompassed claim limitations. Therefore, claims 1, 14 and 22 are rejected under 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 1 recites the step of "--storing the received aggregated content at the client computer--" in step (c). There is redundant step with step (b) if Applicants means the step of "--causing the client computer to store the aggregated content--" in step (b) is the same as step (c). However, if Applicants means the limitation recited in step (c) is another (or different) aggregated content is stored at client computer in step (b) then there is insufficient antecedent basis for the limitation "--the received aggregated content at the client computer--" in step (c).

8. Claims 14 and 22 recites the limitation "--stored aggregated data--" in step (d). There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Response to Arguments

9. Applicant's arguments filed December 8, 2003 have been fully considered but they are not persuasive because of the following reasons:

10. Applicants argue that the stored aggregated content at client computer is not the same as cookie stored at the client computer in Bakshi's reference. In response to Applicants' argument, Examiner asserts that the term "content" and "cookie" are well-known and conventional in the art, as well as in the dictionary definition (attached herein as a reference) to interpret the same meaning and structure of term "content" and "cookie". Therefore, as a result, Examiner concludes that Bakshi teaches the cookie is stored at the client computer is equivalent to the step of storing the received aggregated content at the client computer as disclosed in the Applicants' specification.

11. Applicants argue that Bakshi does not teach or suggest the step of aggregating content associated with the end user by the host computer from one or more information providers. In response to Applicants' argument, the Patent Office asserts that Baskshi does teach the step of aggregating content associated with the end user by the host computer from one or more information providers as shown in figures 1-2, col. 3 lines 40-col. 4 lines 5. The transcoding server 34 can receive the request from client device 12, and/or reply to such request provided by content servers. Transcoding server 34 also has a cache memory 30 that stores the retrieved the content from Internet or content servers. It would have been obvious that transcoding server 34 has a capability to retrieve content from Internet and/or content servers and provides the content to client device.

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12. Applicants argue that Bakshi does not teach the aggregating content associated with end user. In response to Applicants' argument. Patent Office asserts that Bakshi teach the transcoding server send the content to client device based on user references as shown in figure 1,2, col. 2 lines 44-col. 3 lines 65.

13. As a result, cited prior art does disclose a system and method for distributing, storing and retrieving content associated with an end user aggregated from one or more information providers between a host computer and a client computer associated with the end user, as broadly claimed by the Applicants. Applicants clearly have still failed to identify specific claim limitations that would define a clearly patentable distinction over prior art.

14. Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 1, 14 and 22. Claims 2-8, 10, 12-13, and 15-21 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in the previous office action [see paper no. 19]. Accordingly, claims 1-8, 10 and 12-22 are rejected.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

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Patentability shall not be negated by the manner in which the invention was made.

16. Claims 1-8, 10, and 12-22 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Bakshi et al.**, (hereinafter Bakshi) U.S. Patent No. **6,345,300**.

17. As to claim 1, **Bakshi** teaches the invention substantially as claimed, including a method for distributing, storing and retrieving content associated with an end user aggregated from one or more information providers between a host computer and a client computer associated with the end user, comprising the steps of:

a) aggregating content associated with the end user by the host computer from one or more information providers, said information providers not including network devices (figures 1-2, col. 3 lines 40-col. 4 lines 5);

(b) transmitting the aggregated content from the host computer to the client computer thereby causing the client computer to store the aggregated content (figures 1, 3, col. 2 lines 44-col. 3 lines 30, col. 5 lines 46-col. 6 lines 21);

(c) receiving by the host computer a request concerning the aggregated content (figure 1, col. 2 lines 44-col. 3 lines 29);

(d) receiving by the host computer the stored aggregated content from the client computer (figure 1, col. 3 lines 1-29); and

(e) servicing by the host computer the received request based on the received, stored aggregated content to generate a request result (figures 1-2, 4, step 50, col. 3 lines 16-col. 4 lines 66).

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It would have been obvious to one of ordinary skill in the Content Processing art at the time of the invention was made that **Bakshi** implicitly discloses the client sends cookie file to content server through network proxy, the content server aggregate content based on cookie file that obtains from client and provide the aggregating content to client (figures 1, 2, col. 3 lines 1-col. 4 lines 58) that equivalent to the steps of aggregating content associated with the end user and transmitting the aggregated content from the host computer disclosed in the applicant's specification. A person of ordinary skill in the art would have recognized that **Bakshi** performs the same function in substantially the same way to reach substantially the same result.

18. As to claim 2, **Bakshi** teaches the invention substantially as claimed, further comprising the step of outputting the request result to a designated delivery platform (col. 2 lines 44-65, col. 3 lines 16-29).

19. As to claim 3, **Bakshi** teaches the invention substantially as claimed, wherein the designated delivery platform is selected from the group consisting of a facsimile, a telephone, a Web browser, an electronic mail destination, a Web page residing on a Web server, a wireless device, an Internet client program and a print device (col. 6 lines 36-7 lines 13).

20. As to claim 4, **Bakshi** teaches the invention substantially as claimed, further comprising the step of encrypting the aggregated content by the host computer

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prior to transmission to the client computer and wherein the step of servicing the received request by the host computer comprises decrypting the received aggregated content by the host computer (col. 3 lines 30-40, col. 5 lines 22-45).

21. As to claim 5, **Bakshi** teaches the invention substantially as claimed, further comprising the step of outputting the request result to a designated delivery platform (col. 2 lines 44-65, col. 3 lines 16-29).

22. As to claim 6, **Bakshi** teaches the invention substantially as claimed, wherein the designated delivery platform is selected from the group consisting of a facsimile, a telephone, a Web browser, an electronic mail destination, a Web page residing on a Web server, a wireless device, an Internet client program and a print device (col. 6 lines 36-7 lines 13).

23. As to claim 7, **Bakshi** teaches the invention substantially as claimed, further comprising the step of servicing requests concerning the stored aggregated content by the client computer (figures 1-2, 4, step 50, col. 3 lines 1-col. 4 lines 66).

24. As to claim 8, **Bakshi** teaches the invention substantially as claimed, further comprising the step of servicing requests concerning the stored aggregated content by the client computer (figures 1-2, 4, step 50, col. 3 lines 1-col. 4 lines 66).

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25. As to claim 9, **Bakshi** teaches the invention substantially as claimed, further comprising the step of transmitting requests concerning the aggregated content from the client computer to the host computer (figures 1, 4, col. 2 lines 44-col. 3 lines 29).

26. As to claim 10, **Bakshi** teaches the invention substantially as claimed, wherein the received request originates from a source selected from the group consisting of a telephone, an electronic mail system, a wireless device, a third computer, a Web server, a facsimile and an Internet client (figures 1, 2, col. 6 lines 36-7 lines 13).

27. As to claim 11, **Bakshi** teaches the invention substantially as claimed, wherein the step of storing the received aggregated content at the client computer comprises storing the aggregated content as cookie content (col. 2 lines 66-col. 3 lines 15, col. 6 lines 1-21).

28. As to claim 12, **Bakshi** teaches the invention substantially as claimed, wherein the step of transmitting the aggregated content from the host computer to the client computer comprises formatting the aggregated content as cookie content (figures 1, 2, 4, col. 2 lines 66-col. 3 lines 15, col. 6 lines 1-21).

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29. As to claim 13, **Bakshi** teaches the invention substantially as claimed, wherein the step of receiving by the host computer the stored aggregated content from the client computer comprises receiving the stored aggregated content as cookie content (figures 1, 2, 4, col. 2 lines 66-col. 3 lines 15, col. 6 lines 1-21).

30. As to claim 14, **Bakshi** teaches the invention substantially as claimed, including a system for distributing, storing and retrieving content associated with an end user aggregated from one or more information providers between a host computer and a client computer associated with the end user, comprising a host computer in communication with the client computer, the host computer comprising a processor for performing the steps of:

(a) aggregating content associated with the end user from one or more information providers, said information providers not including network devices (figure 1, col. 2 lines 44-65, col. 3 lines 40-col. 4 lines 5);

(b) transmitting the aggregated content to the client computer (figure 1, col. 2 lines 44-65);

(c) receiving a request concerning the aggregated content (figure 1, col. 2 lines 44-col. 3 lines 29);

(d) receiving stored aggregated content from the client computer (figure 1, col. 3 lines 1-29); and

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(e) servicing the received request based on the received, stored aggregated content to generate a request result (figures 1-2, 4, step 50, col. 3 lines 16-col. 4 lines 66).

It would have been obvious to one of ordinary skill in the Content Processing art at the time of the invention was made that **Bakshi** implicitly discloses the client sends cookie file to content server through network proxy, the content server aggregate content based on cookie file that obtains from client and provide the aggregating content to client (figures 1, 2, col. 3 lines 1-col. 4 lines 58) that equivalent to the steps of aggregating content associated with the end user and transmitting the aggregated content from the host computer disclosed in the applicant's specification. A person of ordinary skill in the art would have recognized that **Bakshi** performs the same function in substantially the same way to reach substantially the same result.

31. As to claim 15, **Bakshi** teaches the invention substantially as claimed, the processor further performing the step of outputting the request result to a designated delivery platform (col. 2 lines 44-65, col. 3 lines 16-29).

32. As to claim 16, **Bakshi** teaches the invention substantially as claimed, wherein the designated delivery platform is selected from the group consisting of a facsimile, a telephone, a Web browser, an electronic mail destination, a Web page residing on a Web server, a wireless device, an Internet client program and a print device (col. 6 lines 36-7 lines 13).

33. As to claim 17, **Bakshi** teaches the invention substantially as claimed, the processor further performing the steps of encrypting the aggregated content by the host computer prior to transmission to the client computer and decrypting the received, stored aggregated content prior to servicing the received request (col. 3 lines 30-40, col. 5 lines 22-45).

34. As to claim 18, **Bakshi** teaches the invention substantially as claimed, the processor further performing the step of outputting the request result to a designated delivery platform (col. 2 lines 44-65, col. 3 lines 16-29).

35. As to claim 19, **Bakshi** teaches the invention substantially as claimed, wherein the designated delivery platform is selected from the group consisting of a facsimile, a telephone, a Web browser, an electronic mail destination, a Web page residing on a Web server, a wireless device, an Internet client program and a print device (col. 6 lines 36-7 lines 13).

36. As to claim 20, **Bakshi** teaches the invention substantially as claimed, wherein the received request originates from a source selected from the group consisting of a telephone, an electronic mail system, a wireless device, a third computer, a Web server, a facsimile and an Internet client (col. 6 lines 36-7 lines 13).

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37. As to claim 21, **Bakshi** teaches the invention substantially as claimed, the processor further performing the step of formatting the aggregated content as cookie content prior to transmission (col. 2 lines 66-col. 3 lines 15, col. 6 lines 1-21).

38. As to claim 22, **Bakshi** teaches the invention substantially as claimed, including a digital, computer-readable storage device storing instructions that when executed on a processor distribute, store and retrieve content associated with an end user aggregated from one or more information providers between a host computer and a client computer associated with the end user, by performing the steps comprising of:

(a) aggregating content associated with the end user from one or more information providers, said information providers not including network devices (figures 1, 2, col. 2 lines 44-65, col. 3 lines 40-col. 4 lines 5);

(b) transmitting the aggregated content to the client computer (figure 1, col. 2 lines 44-65);

(c) receiving a request concerning the aggregated content (figure 1, col. 2 lines 44-col. 3 lines 29);

(d) receiving stored aggregated content from the client computer (figure 1, col. 3 lines 1-29); and

(e) servicing the received request based on the received, stored aggregated content to generate a request result (figures 1-2, 4, step 50, col. 3 lines 16-col. 4 lines 66).

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It would have been obvious to one of ordinary skill in the Content Processing art at the time of the invention was made that **Bakshi** implicitly discloses the client sends cookie file to content server through network proxy, the content server aggregate content based on cookie file that obtains from client and provide the aggregating content to client (figures 1, 2, col. 3 lines 1-col. 4 lines 58) that equivalent to the steps of aggregating content associated with the end user and transmitting the aggregated content from the host computer disclosed in the applicant's specification. A person of ordinary skill in the art would have recognized that **Bakshi** performs the same function in substantially the same way to reach substantially the same result.

Conclusion

39. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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40. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (703) 305-7447. The examiner can normally be reached Monday through Friday from 7:30 AM to 5:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached at (703) 305-9648.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax number for art unit 2155 is (703) 872-9306.

Thu Ha Nguyen

February 19, 2004


HOSAIN ALAM
OF ADVISORY PATENT EXAMINER